

REMARKS

In the Office Action mailed December 11, 2007, the Office took the following action: (1) objected to claim 20 due to an informality; (2) rejected claims 1-15 and 17-25 under 35 U.S.C. §112, second paragraph, as being indefinite; (3) rejected claims 1-15 and 17-25 under 35 U.S.C. §101 as being non- statutory; and (4) required an election/restriction of a distinct species from distinct inventions which are included in each of claims 13-15 and 17-25 dependent on a generic base claim 1, similarly with respect to claims 59-61 and 63-71 dependent on a generic base claim 49. Applicant respectfully requests reconsideration and withdrawal of the objections and rejections to the pending claims in view of the following remarks.

Examiner Telephone Interview

Applicant thanks the Examiner for the telephone interview conducted on Monday, March 31, 2008. During the telephone interview, Applicant's attorney, Damon Kruger, discussed the election requirement and amendment of claims, 14-15, 17-25, and 61. Applicant's attorney understood the Examiner to agree to both amending these claims and withdrawing them in this Response to Office Action. Accordingly, Applicant has used a parenthetical "Currently amended and Withdrawn" before each of these claims in the Listing of Claims section.

Applicant's attorney also understood the Examiner to agree that independent claim 49 is not rejected in the pending Office Action. Therefore, Applicant requests that independent claim 49 be designated as allowed along with any claims dependent therefrom. Further, Applicant desires to reinstate any withdrawn dependent claims that depend from the generic independent claim 49, such as claims 60-61 and 63-71, when claim 49 is deemed allowable.

Election/Restriction Requirement

The Office required an election/restriction of a distinct species from distinct inventions which are included in each of claims 13-15 and 17-25 dependent on a generic base claim 1, similarly with respect to claims 59-61 and 63-71 dependent on a generic base claim 49. Applicant hereby elects the claims 13 and 59 for prosecution at this time. Claims 14-15, 17-25, 60-61 and 63-71 are withdrawn from consideration, without prejudice to the possibility of reinstatement during the prosecution of the subject application, and without prejudice to the filing of subsequent continuation or divisional applications.

The Applicant has amended claims 20 and 61 in response to a claim objection and has amended claims 14-15 and 17-25 in response to the Section 112 rejection in the present Office Action. Applicant respectfully requests the Office to consider amending these claims accordingly to place these claims in condition for allowance when the generic base claims 1 and 49 are allowed.

Claim Objection

The Office objected to claim 20 due to an informality. Applicant has amended claim 20 and 61, *sua sponte*, to correct minor informalities.

Claims 20, as amended, recites:

20. (Currently amended and Withdrawn) The computer instructions residing on computer-readable storage media according to claim 6, where at least one of the software servers is an assembly procedure library.

Applicant has amended claim 61, *sua sponte*, to correct minor informalities.

Claims 61, as amended, recites:

61. (Currently amended and Withdrawn) A system according to claim 49, where at least one of the software servers is a computer assisted drafting software server.

Applicant respectfully requests claims 20 and 61 be amended as shown above to preemptively cure informalities. Applicant acknowledges that both claims 20 and 61 have been designated as withdrawn in this Response to Office Action.

Rejection under 35 U.S.C. §112

The Office rejected claims 1-15 and 17-25 under 35 U.S.C. §112, second paragraph, as being indefinite. The Office states: “the applicant has not described, in the specification, what is meant by computer readable “media” or “mediums”. In other words, since the applicant has not described any examples of the media or mediums, the scope of this term is not properly defined. Therefore, it is *unclear* as to what is intended to be covered with respect to this term.” (Office Action, page 2, lines 7-11, emphasis in original).

Applicant has amended claims 1-13 to recite “computer-readable storage media.” In addition, Applicant has amended claims 14-15 and 17-25 to place these claims in condition for allowance when the generic base claim 1 is allowed. The amendment to claims 1-15 and 17-25 is (1) supported by at least the incorporated reference titled: “System, Method And Computer-Program Product For Transferring A Numerical Control Program To Thereby Control A Machine Tool Controller” U.S. Patent No. 6,834,214, issued on Dec. 21, 2004, and (2) provides a clear recitation of the intended subject matter of claims 1-15 and 17-25.

Accordingly, Applicant respectfully requests reconsideration and withdrawal of the rejection to claims 1-15 and 17-25.

Rejection under 35 U.S.C. §101

The Office rejected claims 1-15 and 17-25 under 35 U.S.C. §101 as being non- statutory. As discussed above, Applicant has amended claims 1-15 and 17-25 to recite “instructions residing on computer-readable storage media.” As amended, claims 1-15 and 17-25 do not recite

media such as a signal or wave, which is deemed to be non-statutory. Accordingly, Applicant respectfully requests reconsideration and withdrawal of the rejections to claims 1-15 and 17-25.


CONCLUSION

For the foregoing reasons, Applicants respectfully submit that pending claims 1-13 and 49-59 are now in condition for allowance. If there are any remaining matters that may be handled by telephone conference, the Examiner is kindly invited to contact the undersigned attorney at the telephone number listed below.

Respectfully Submitted,

Dated: 2008-04-08

By: _____


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